



BILLING CODE: 4510-26-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2006-0040]

SGS North America, Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the final decision to expand the scope of recognition for SGS North America, Inc., as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the addition of five test standards to the NRTL Program's List of Appropriate Test Standards.

DATES: The expansion of the scope of recognition becomes effective on **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S.

Department of Labor; telephone: (202) 693-2110; email: robinson.kevin@dol.gov.

OSHA's webpage includes information about the NRTL Program (see <http://www.osha.gov/dts/otpca/nrtl/index.html>).

SUPPLEMENTARY INFORMATION:

I. Notice of Final Decision

OSHA hereby gives notice of the expansion of the scope of recognition of SGS of North America, Inc. (SGS), as a NRTL. SGS's expansion covers the addition of five test standards to the scope of recognition. Additionally, OSHA announces the addition of five test standards to the NRTL Program's List of Appropriate Test Standards.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified by 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the NRTL to meet OSHA standards that require testing and certification of the products.

The agency processes applications by a NRTL for initial recognition, or for expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the *Federal Register* in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding and, in the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational webpage for each NRTL that details the scope of recognition. These pages are available from the agency's website at <http://www.osha.gov/dts/otpc/nrtl/index.html>.

SGS submitted an application to OSHA to expand recognition as a NRTL to include five additional test standards on May 16, 2019 (OSHA-2006-0040-0058). OSHA staff performed a detailed analysis of the application packet and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

OSHA published the preliminary notice announcing SGS's expansion application and proposed addition to the NRTL Program's List of Appropriate Test Standards in the *Federal Register* on April 7, 2021 (86 FR 18073). The agency requested comments by April 22, 2021, but it received no comments in response to this notice. OSHA now is proceeding with this final notice to grant expansion of SGS's scope of recognition.

To obtain or review copies of all public documents pertaining to SGS's application, go to <http://www.regulations.gov>. Docket No. OSHA-2006-0040 contains all materials in the record concerning SGS's recognition. **Please note:** Due to the COVID-19 pandemic, the Docket Office is closed to the public at this time but can be contacted at (202) 693-2350.

II. Final Decision and Order

OSHA staff examined SGS's expansion application, the capability to meet the requirements of the test standards, and other pertinent information. Based on a review of this evidence, OSHA finds that SGS meets the requirements of 29 CFR 1910.7 for expansion of the recognition, subject to the specified limitation and conditions listed. OSHA, therefore, is proceeding with this final notice to grant expansion of SGS's scope of recognition. OSHA limits the expansion of SGS's scope of recognition to testing and certification of products for demonstration of conformance to the test standard listed in Table 1.

Table 1

List of Appropriate Test Standards for Inclusion in

SGS's NRTL Scope of Recognition

Test Standard	Test Standard Title
*UL 62841-2-1	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery – Part 2-1: Particular Requirements for Hand-Held Drills and Impact Drills
*UL 62841-2-10	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery – Part 2-10: Particular Requirements for Hand-Held Mixers

*UL 62841-2-21	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery – Part 2-21: Particular Requirements for Hand-Held Drain Cleaners
*UL 62841-3-13	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery – Part 3-13: Particular Requirements for Transportable Drills
*UL 60745-2-23	Hand-Held Motor-Operated Electric Tools – Safety – Part 2-23: Particular Requirements for Die Grinders and Small Rotary Tools

*Represents standard OSHA is adding to the List of Appropriate Test Standards

In this notice, OSHA also announces the addition of five new test standards to the NRTL Program's List of Appropriate Test Standards. Table 2, below, lists the test standards that are new to the NRTL Program. OSHA has determined that these test standards are appropriate test standards and will include them in the NRTL Program's List of Appropriate Test Standards.

Table 2

Test Standards OSHA is adding to the NRTL Program's

List of Appropriate Test Standards

Test Standard	Test Standard Title
UL 62841-2-1	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery – Part 2-1: Particular Requirements for Hand-Held Drills and Impact Drills
UL 62841-2-10	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery – Part 2-10: Particular Requirements for Hand-Held Mixers
UL 62841-2-21	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery – Part 2-21: Particular Requirements for Hand-Held Drain Cleaners
UL 62841-3-13	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery – Part 3-13: Particular Requirements for Transportable Drills
UL 60745-2-23	Hand-Held Motor-Operated Electric Tools – Safety – Part 2-23: Particular Requirements for Die Grinders and Small Rotary Tools

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, a NRTL's scope of recognition does not include these products.

A. Conditions

In addition to those conditions already required by 29 CFR 1910.7, SGS must abide by the following conditions of the recognition:

1. SGS must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in the operations as a NRTL, and provide details of the change(s);
2. SGS must meet all the terms of the recognition and comply with all OSHA policies pertaining to this recognition; and

3. SGS must continue to meet the requirements for recognition, including all previously published conditions on SGS's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of SGS, subject to the limitations and conditions specified above. OSHA also adds five new test standards to the NRTL Program's List of Appropriate Test Standards.

III. Authority and Signature

James S. Frederick, Acting Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to Section 29 U.S.C. 655(6)(d), Secretary of Labor's Order No. 8-2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on May 17, 2021.

James S. Frederick,
Acting Assistant Secretary of Labor for Occupational Safety and Health.

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